

Message Text

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DRAFTED BY USAEC/IP/GEO:RVWILLIT

APPROVED BY OES/SCI/AE:JUSTIN L. BLOOM

USAEC/IP:DD:GHELFRICH

EA/J.- C. DUNKERLEY

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FM SECSTATE WASHDC

TO AMEMBASSY TOKYO

UNCLAS STATE 282816

E.O. 11652: N/A

TAGS: TECH, JA

SUBJECT: ABCC

1. USAEC WOULD APPRECIATE RECEIVING NAMES OF JAPANESE
NOMINATED TO FOUNDING COMMITTEE AND BOARD OF DIRECTORS FOR
RADIATION EFFECTS RESEARCH FOUNDATION. ALSO PLEASE ADVISE
SOONEST DATE SELECTED FOR MEETING OF FOUNDING COMMITTEE.

2. DURING DECEMBER 5-8 MEETING, JAPANESE REQUESTED STATEMENT
FROM NAS ON ITS STATUS AS PRIVATE NON-PROFIT ORGANIZATION.
FOLLOWING IS TEXT OF NAS STATEMENT ON THIS SUBJECT.

QUOTE THE NATIONAL ACADEMY OF SCIENCES IS AN ORGANIZATION OF
DISTINGUISHED SCIENTISTS AND ENGINEERS DEDICATED TO THE
ADVANCEMENT OF SCIENCE AND THE RECOGNITION OF SCIENTIFIC
ACHIEVEMENT. AS YOU KNOW, THE ACADEMY HAS LONG ENJOYED A CLOSE
RELATIONSHIP WITH THE FEDERAL GOVERNMENT. THE ACADEMY IS NOT,
HOWEVER, AN AGENCY OF THE GOVERNMENT OF THE UNITED STATES.
THE ACADEMY IS A FEDERALLY CHARTERED, PRIVATE, NONPROFIT
CORPORATION.

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QUOTE THE ACADEMY'S CORPORATE CHARTER PROVIDES THAT THE ACADEMY

SHALL, WHEN CALLED UPON BY THE GOVERNMENT, INVESTIGATE, EXAMINE, EXPERIMENT, AND REPORT UPON ANY SUBJECT OF SCIENCE OR ART, THE ACTUAL EXPENSES OF SUCH ACTIVITIES TO BE PAID FOR BY THE GOVERNMENT. UNDER THIS PROVISION, THE ACADEMY HAS CONDUCTED NUMEROUS STUDIES FOR THE FEDERAL GOVERNMENT, BUT SUCH STUDIES ARE CONDUCTED PURSUANT TO NEGOTIATED CONTRACTS WITH THE GOVERNMENT IN THE SAME MANNER THAT OTHER PRIVATE ORGANIZATIONS PROVIDE SERVICES TO THE GOVERNMENT UNDER CONTRACT. THE ACADEMY DOES NOT RECEIVE FUNDS APPROPRIATED BY CONGRESS, AS DO GOVERNMENT AGENCIES. THE ACADEMY ALSO CONDUCTS STUDIES UNDER CONTRACT TO PRIVATE ORGANIZATIONS AND STATE GOVERNMENTS.

QUOTE THE ACADEMY IS FREE FROM ANY GOVERNMENT PARTICIPATION IN ITS MANAGEMENT. NO MEMBER, OFFICER OR EMPLOYEE OF THE ACADEMY RECEIVES COMPENSATION FROM THE GOVERNMENT FOR HIS SERVICES IN SUCH CAPACITY. NO IS ANY APPOINTMENT OF AN ACADEMY OFFICER, MEMBER OR STUDY PARTICIPANT SUBJECT TO APPROVAL BY AN AGENCY OR OFFICER OF THE GOVERNMENT. THE ACADEMY'S GOVERNING BODY, OFFICERS AND MEMBERS ARE ELECTED, WITHOUT ANY PARTICIPATION WHATEVER BY THE GOVERNMENT, PURSUANT TO PROCEEDURES ESTABLISHED BY THE ACADEMY'S CONSTITUTION AND BYLAWS. UNDER ITS CORPORATE CHARTER, THE ACADEMY HAS THE POWER TO MAKE ITS OWN ORGANIZATION, INCLUDING ITS CONSTITUTION, BYLAWS, RULES AND REGULATIONS.

QUOTE AN APPROPRIATE ILLUSTRATION OF THE RELATIONSHIP OF THE NATIONAL ACADEMY OF SCIENCES TO THE U.S. GOVERNMENT IS PROVIDED BY A LAW RECENTLY PASSED BY THE U.S. CONGRESS IN WHICH THE CONGRESS DIRECTS THE SECRETARY OF THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE TO ASK THE ACADEMY TO CONDUCT A PARTICULAR STUDY. THE LAW STATES AS FOLLOWS:

QUOTE THE SECRETARY SHALL REQUEST THE NATIONAL ACADEMY OF SCIENCES TO CONDUCT SUCH STUDIES UNDER AN ARRANGEMENT UNDER WHICH THE ACTUAL EXPENSES INCURRED BY SUCH ACADEMY IN CONDUCTING SUCH STUDIES WILL BE PAID BY THE SECRETARY. IF THE NATIONAL ACADEMY OF SCIENCES IS WILLING TO DO SO, THE SECRETARY SHALL ENTER INTO SUCH ARRANGEMENT WITH SUCH ACADEMY FOR THE CONDUCT OF SUCH STUDIES.

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QUOTE IF THE NATIONAL ACADEMY OF SCIENCES IS UNWILLING TO CONDUCT THE STUDIES REQUIRED UNDER THIS SECTION, UNDER SUCH AN ARRANGEMENT WITH THE SECRETARY, THEN THE SECRETARY SHALL ENTER INTO A SIMILAR ARRANGEMENT WITH OTHER APPROPRIATE NONPROFIT PRIVATE GROUPS OR ASSOCIATIONS UNDER WHICH SUCH GROUPS OR

ASSOCIATIONS SHALL CONDUCT SUCH STUDIES AND
PREPARE AND SUBMIT THE REPORTS THEREON . . .

QUOTE THIS STATUTE EXPLICITLY RECOGNIZES THE STATUS OF THE
ACADEMY AS A PRIVATE, NONPROFIT ORGANIZATION.
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